IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2668 OF 2001.
IN
FIRST APPEAL (ST) NO.100 OF 1997.

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Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

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Mrs G.P.Mulekar, A.G.P for the Applicant.

CORAM : ABHAY S.OKA, J.
DATED : 06th December, 2007.

P.C.:

1. Heard the learned A.G.P for the Appellant/Applicant. The challenge in the Appeal is to judgment and award dated 19th June, 1996 passed by the Reference Court in a Reference under section 18 of the Land Acquisition Act, 1894. For a period of eleven years and more there is no ad-interim relief operating in favour of the applicant. The enhancement in market value the granted is only in the sum of Rs.7,165/-. Considering the peculiar facts of this case, stay cannot be granted. Application is accordingly rejected. It is however clarified that if the amount of compensation is withdrawn by the claimants, the withdrawal will be subject to final decision of the Appeal.

JUDGE